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ACTION DRL-09

RELEASED IN PART
B1, 1.4(B), 1.4(D)

INFO LOG-00 OASY-00 TEDE-00 ADS-00 ONY-00 SSO-00 /009W
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O 111055Z AUG 94
FM AMEMBASSY LONDON
TO SECSTATE WASHDC IMMEDIATE 6241

C O N F I D E N T I A L SECTION 01 OF 02 LONDON 012721

DEPARTMENT FOR DHA A/S SHATTUCK FROM SICADE

E.O. 12356: DECL: OADR
TAGS: AMGT
SUBJECT: OFFICIAL INFORMAL

1. ATTACHED IS DRAFT REPORTING CABLE OF YOUR MEETING WITH BRITISH OFFICIALS FOR YOUR COMMENT/APPROVAL. INFO ADDRESSEE WILL BE THE RWANDA COLLECTIVE. TAGS WILL BE PREL PREF KJUS RW UN UK. LYNN SICADE CAN BE REACHED AT (071) 408-8131.

2. CONFIDENTIAL - ENTIRE TEXT.

3. SUMMARY. A/S JOHN SHATTUCK MET AUGUST 10 WITH GLYNNE EVANS, HEAD OF THE FCO UN DEPARTMENT AND OTHER FCO OFFICIALS TO DISCUSS DEVELOPMENTS IN RWANDA. SHATTUCK SAID:

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-- HIS VISIT TO RWANDA AND DISCUSSIONS WITH RWANDAN OFFICIALS HAD BEEN PRODUCTIVE. THE GOR WAS ACTIVELY OPPOSING REPRISALS.

-- HIS DISCUSSION WITH FRENCH OFFICIALS IN PARIS REGARDING THE WAR CRIMES TRIBUNAL HAD REVEALED SUBSTANTIAL AGREEMENT BETWEEN THE USG AND FRANCE.

-- EXPEDITIOUS FORMATION OF THE TRIBUNAL WAS A KEY

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: ARCHIE M BOLSTER
CLASSIFICATION: CONFIDENTIAL REASON: 1.4(B), 1.4(D)
DECLASSIFY AFTER: 11 AUG 2015
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ELEMENT IN RESOLVING THE REFUGEE
REFUGEES NEEDED TO FEEL SECURE AND THAT JUSTICE
WAS BEING SERVED; THE GOVERNMENT OF RWANDA
NEEDED SUPPORT FROM THE INTERNATIONAL COMMUNITY
IN ORDER TO PREVENT SUMMARY EXECUTIONS BY
INDIVIDUAL ACTORS. THE WAR CRIMES TRIBUNAL
WOULD HELP TO BREAK THE CYCLE OF VIOLENCE.

-- THERE WOULD BE NO NATIONAL RECONCILIATION UNTIL
NATIONAL ACCOUNTABILITY WAS ADDRESSED.

IN RESPONSE, EVANS STRESSED THE PRACTICAL ASPECTS OF
FORMATION OF A WAR CRIMES TRIBUNAL AND THE NEED TO
CHANGE THE PSYCHOLOGY IN THE CAMPS SAYING:

-- HMG WANTED TO FOCUS ON ALL THE PRACTICALITIES OF
PUTTING TOGETHER A JUSTICE SYSTEM AND WAR CRIMES
TRIBUNAL (WHICH SHOULD BE DEVELOPED IN PARALLEL)
PRIOR TO PASSING A UN RESOLUTION. END SUMMARY.

-- IT WAS DIFFICULT TO DETERMINE TO WHAT EXTENT THE
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EX-MILITARY HUTUS IN THE CAMPS COULD BE
SEPARATED FROM OTHER REFUGEES, BUT THAT
SEPARATING THEM WOULD SERVE THE DUAL FUNCTION OF
PREVENTING REFUGEE INTIMIDATION AND PLACING THEM
IN A COMMON AREA WHERE THEY COULD BE PROCESSED.

-- HMG HAD BEEN PRESSING EFFORTS TO COORDINATE
RADIO BROADCASTS THROUGH THE UNHCR

-- HUMAN RIGHTS MONITORS WERE AN IMPORTANT
COMPONENT FOR STABILITY, BUT IT WOULD BE MORE
EFFECTIVE TO MELD HUMAN RIGHTS VERIFICATION INTO
THE NEW UNAMIR MANDATE (SIMILAR TO ONUSAL IN EL
SALVADOR).

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4. ASSISTANT SECRETARY FOR DEMOCRACY, HUMAN RIGHTS AND
HUMANITARIAN AFFAIRS JOHN SHATTUCK ACCOMPANIED BY
CRYSTAL NIX OF THE OFFICE OF THE LEGAL ADVISOR AND
EMBOFF DISCUSSED DEVELOPMENTS IN RWANDA, SPECIFICALLY

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THE FORMATION OF A WAR CRIMES TRIBUNAL WITH A SEATED
EVANS, HEAD OF THE FCO UN DEPARTMENT, PHILLIP ASTLEY
HEAD OF THE FCO HUMAN RIGHTS DEPARTMENT AND DAVID
MCLENNAN, HEAD OF THE FCO AFRICA EQUITORIAL DEPARTMENT
AUGUST 10.

5. SHATTUCK BRIEFED THE BRITISH ON HIS VISIT TO
RWANDA. THE GOVERNMENT OF RWANDA HAD FOCUSED ON ISSUES
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OF NATIONAL ACCOUNTABILITY AND SEEMED TO RECOGNIZE THE
LINKAGE BETWEEN THE RETURN OF THE REFUGEES AND THE NEED
FOR SECURITY AND JUSTICE. THE GOR HAD PUBLICLY STATED
ITS OPPOSITION TO REPRISALS AND HAD CLARIFIED ITS
POSITION ON WHO OUGHT TO BE PROSECUTED FOR GENOCIDE.
SHATTUCK SAID HE HAD HEARD REPORTS FROM UNHCR WHICH
INDICATED SOME REFUGEES WERE BEING PAID TO STAY IN THE
CAMPS; THIS SURPRISED EVANS.

6. SHATTUCK SAID HIS VISIT TO PARIS HAD BEEN
PRODUCTIVE. THE FRENCH HAD AGREED THAT AN EXPEDITIOUS
ESTABLISHMENT OF THE WAR CRIMES TRIBUNAL WAS DESIRABLE
AND THAT IT SHOULD BE INTERNATIONAL IN CHARACTER SINCE
MANY OF THE OFFENDERS WERE CURRENTLY OUTSIDE RWANDA.
THEY HAD AGREED THAT RWANDA NEEDED A FUNCTIONING
JUDICIAL SYSTEM AS SOON AS POSSIBLE. FINALLY THERE HAD
BEEN AGREEMENT THAT THE NUMBER OF HUMAN RIGHTS MONITORS
IN RWANDA SHOULD BE INCREASED.

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7. EVANS IMPLIED THAT HMG AGREED IN PRINCIPLE TO THE ESTABLISHMENT OF AN INTERNATIONAL WAR CRIMES TRIBUNAL, BUT PREFERRED TO FOCUS ON THE PRACTICALITIES OF CREATING ONE. NOTING THAT THE HUTU EX-MILITARY HAD ONCE BEEN PUT UNDER THE CHARGE OF THE ZAIREAN ARMY ONLY TO DISAPPEAR FROM CAMP TWENTY FOUR HOURS LATER, SHE ASKED TO WHAT EXTENT IT WAS POSSIBLE TO SEPARATE THE EX-MILITARY FROM THE OTHER REFUGEES. RECOGNIZING THE JURISDICTIONAL PROBLEMS, EVANS SPECULATED THAT IT MAY BE POSSIBLE TO SEPARATE THE EX-MILITARY UNDER THE GUISE OF PUTTING THEM TO WORK (E.G., DIGGING LATRINES OR BURYING BODIES) AND THEN SETTING UP A PERIMETER GUARD THROUGH A PRIVATE

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COMPANY.

MCLENNAN ADDED THAT THE

POLITICAL STRUCTURE IN THE CAMPS WOULD HAVE TO BE ADDRESSED; THERE WOULD HAVE TO BE SOME SORT OF REGISTRATION WHICH WOULD EASE PROCESSING; A WORK FOR FOOD SCHEME COULD BE SUCCESSFUL IN SEPARATING THE MEN FROM THE WOMEN. THIS TASK WOULD BE ADMINISTRATIVELY DIFFICULT.

8. SHATTUCK EXPLAINED THAT THE USG WAS INTERESTED IN CREATING A MAGNET WHICH WOULD PULL REFUGEES BACK TO RWANDA. THIS WAS ONE OF THE REASONS THE WAR CRIMES TRIBUNAL WAS SIGNIFICANT. THE GOR HAD REQUESTED DEPLOYMENT OF HUMAN RIGHTS MONITORS, ESPECIALLY IN THE

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SOUTHWEST, TO SEND THE MESSAGE OF UNCLASSIFIED
ATIONAL RECONCILIATION. EVANS AGREED THAT A MAGNET
SHOULD BE CREATED BUT POINTED OUT THAT THE PSYCHOLOGY IN
THE CAMPS MUST BE CHANGED IN ORDER TO PUSH THE REFUGEES
OUT; SEPARATING THE EX-MILITARY WOULD GREATLY ASSIST
THESE EFFORTS. HMG HAD BEEN PRESSING TO COORDINATE
RADIO BROADCASTS THROUGH THE UNHCR.

9. EVANS REITERATED THAT HMG WANTED TO FOCUS ON THE
PRACTICALITIES -- THE NEED TO PUT TOGETHER A COMPLETE
JUDICIAL PACKAGE PRIOR TO PASSAGE OF A RESOLUTION AT THE
UN. [REDACTED]

[REDACTED] THE RWANDA WAR CRIMES
TRIBUNAL SHOULD BE CAREFULLY THOUGHT OUT TO AVOID THE
SAME PROBLEMS. THE COMMISSION OF EXPERTS SHOULD PRODUCE
A PAMPHLET EXPLAINING THAT THEY WANTED HARD FACTS --
TIMES, DATES, PLACES AND NAMES [REDACTED]

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[REDACTED] RWANDA'S JUDICIARY WAS IN SHAMBLES
WITH ONLY THREE MAGISTRATES. EVANS ASKED IF IT WOULD BE
POSSIBLE TO PROVIDE INTERNATIONAL SUPPORT WHICH WOULD
ASSIST THE RWANDANS IN SETTING UP THEIR OWN SYSTEM TO
DEAL WITH THE STAGGERING JUDICIAL PROBLEMS. SHE NOTED
THAT BRITISH JUDGES OFTEN ASSIST COMMONWEALTH COUNTRIES
BY SITTING ON THE BENCH ON THEIR COUNTRIES AND WONDERED
IF THE INTERNATIONAL COMMUNITY COULD PROVIDE EX-PAT
JUDGES (PRESUMABLY THOSE WITH TRAINING IN THE NAPOLEONIC
CODE).

10. MACLENNAN COMMENTED THAT NO VISIBLE RESULT OF THE
WAR CRIMES TRIBUNAL WOULD BE APPARENT FOR SOME TIME AS
THERE WAS A NEED TO COLLECT EVIDENCE. HE CONJECTURED
THAT THE HUTUS MAY VIEW INTERNATIONAL SUPPORT OF A WAR
CRIMES TRIBUNAL AND SUPPORT OF THE RPF AS "GANGING UP"
AND WONDERED IF THIS WOULD HINDER NATIONAL
RECONCILIATION EFFORTS MORE THAN IT WOULD HELP.

11. TURNING TO THE SUBJECT OF HUMAN RIGHTS MONITORS,
EVANS OPINED THAT 30 SHOULD BE MORE THAN ENOUGH. SHE
COMMENTED THAT FINANCIAL RESOURCES ARE STRAINED AND
RESOURCE ALLOCATION SHOULD BE PRIORITIZED. NOTING THAT
THE UNAMIR MANDATE WOULD BE REVIEWED IN SEPTEMBER, EVANS
SUGGESTED IT MAY BE DESIRABLE TO WRITE HUMAN RIGHTS
VERIFICATION INTO THE MANDATE ALONG THE LINES OF ONUSAL

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IN EL SALVADOR. MONITORS COULD THEN BE FOIAED INTO THE
CIVIL COMPONENT OF UNAMIR.

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12. IN A SUBSEQUENT CONVERSATION WITH ALEX HALL-HALL,
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HEAD OF THE FCO UN DEPARTMENT HUMANITARIAN SECTION,
EMBASSY CONFIRMED THAT HMG SUPPORTS IN PRINCIPLE THE
CREATION OF AN INTERNATIONAL TRIBUNAL. HALL-HALL ADDED
THAT HMG WAS MOST CONCERNED THAT THE PRACTICALITIES BE
SORTED OUT PRIOR TO GOING FORWARD. HMG STRONGLY
SUPPORTED INTERNATIONAL SUPPORT OF THE RWANDAN JUDICIAL
SYSTEM IN PARALLEL TO CREATION OF A WAR CRIMES TRIBUNAL.

13. THIS CABLE HAS BEEN CLEARED BY A/S SHATTUCK. CROWE

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